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10 JOHN BURNELL

11 **UNITED STATES DISTRICT COURT**

12 **CENTRAL DISTRICT OF CALIFORNIA, EASTERN DIVISION**

13 JOHN BURNELL and all others
14 similarly situated,

15 *Plaintiff(s),*

16 v.

17 SWIFT TRANSPORTATION CO.,
18 INC., an Arizona corporation; DOES 1
19 through 50, inclusive,

20 *Defendant(s).*

Case No.: ED-CV 10-00809 VAP(OPx)

**ORDER RE: FILING OF FIRST
AMENDED COMPLAINT**

22 Pursuant to the stipulation of the parties and good cause appearing therefore,
23 IT IS HEREBY ORDERED THAT:

24 1) The [Proposed] First Amended Complaint will be deemed filed on the
25 date it is lodged with the Court.

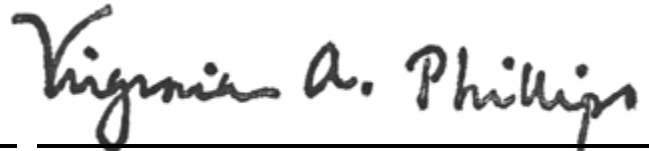
26 2) Defendants may respond to the First Amended Complaint by motion
27 to dismiss, motion to strike or other responsive pleading. Nevertheless, Defendant
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1 SWIFT TRANSPORTATION CO., INC., an Arizona corporation, shall not be
2 required to answer the amendment, and all denials, responses and affirmative
3 defenses contained in the Answer to the Complaint filed by Plaintiff on March 22,
4 2010 in San Bernardino Superior Court shall be responsive to the First Amended
5 Complaint.

6 **IT IS SO ORDERED.**

7
8 October 12, 2010

9 Date



10 The Honorable Virginia A. Phillips,
11 United States District Court Judge
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